

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DUANE ANGELO GITTENS,

Plaintiff,

v.

LOS ANGELES SUPERIOR COURT, et  
al.,

Defendants.

No. 2:20-cv-00781-TLN-CKD

**ORDER**

Plaintiff Duane Angelo Gittens (“Plaintiff”), a state prisoner proceeding *pro se*, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 3, 2020, the magistrate judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 18.) Plaintiff has not filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983).

1 Having reviewed the file, the Court finds the findings and recommendations to be  
2 supported by the record and by the magistrate judge's analysis.

3 Accordingly, IT IS HEREBY ORDERED that:

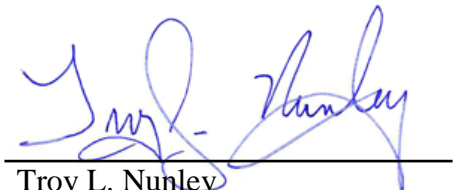
4 1. The findings and recommendations filed December 3, 2020 (ECF No. 18), are  
5 ADOPTED IN FULL; and

6 2. This action is DISMISSED without prejudice. *See* Local Rule 110; Fed. R. Civ. P.  
7 41(b).

8 IT IS SO ORDERED.

9 DATED: January 14, 2021

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



---

Troy L. Nunley  
United States District Judge